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09/666,964	09/21/2000	William C. Dalrymple	7000-026	9275

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WITHROW & TERRANOVA, P.L.L.C.
P.O. BOX 1287
CARY, NC 27512

EXAMINER

SHEW, JOHN

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 03/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/666,964

Applicant(s)

DALRYMPLE ET AL.

Examiner

John L Shew

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 5-8, 15, 16-17, 24, 26, 28-30, 35, 39-41 and 42-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuda et al.

Claim 1, Matsuda teaches a method for monitoring a virtual event generated by an interaction with a first virtual entity within a virtual reality environment (FIG. 1, column 23 lines 46-49) referenced by sensor detection and the application object in a virtual reality space being picked up by the user, controlling the picked-up object as a possession of that user, initiating a communications function that has been associated with the virtual event upon occurrence of the virtual event (FIG. 8, column 26 lines 45-59) referenced by the figure 8 column communications means, wherein the communications function provides for communications with a real world entity (FIG. 3) referenced by the communication server 16 which performs the communications means.

2. Claim 5, Matsuda teaches a first virtual entity associated with a first telecommunications device (FIG. 8, row 2) referencing an object 2 to a telephone (analog service), wherein initiating communications function initiates a telecommunications call to the first telecommunications device (column 30 lines 18-22) referenced by the communication server calling the user at his registered telephone number.

3. Claim 6, Matsuda teaches a first virtual entity associated with a first communications means of a telephone (FIG. 8 row 2) referencing an object 2 to a telephone (analog service) and a second virtual entity associated with a second communications means of e-mail (FIG. 8 row 1), referencing an object 1 to electronic mail, wherein initiating an email message from a computer system associated with the second virtual entity to a computer system associated with the first virtual entity (FIG. 27) referenced by two people in a virtual environment chat room.

4. Claim 7, Matsuda teaches an interaction between a first virtual entity and a second virtual entity (FIG. 27) referenced by a chat session between two avatars representing two users, further initiating an electronic file transfer between computer systems associated with each entity (FIG. 4, column 8 lines 40-46), referenced by the community place VRML Browser 46 and the transfer of a HTML file to the user client terminal.

5. Claim 8, Matsuda teaches an interaction between a first virtual entity and a second virtual entity within a shared virtual environment (column 22 lines 3-9, lines 34-48) referenced by a shared virtual reality on a Community Place Browser interpreting a VRML file displaying a three-dimensional virtual space on a CRT monitor. This representation of a graphical environment is pushed to the computer system associated with the first virtual entity and to the computer system associated with the second virtual entity to maintain a shared virtual environment.

6. Claim 15, Matsuda teaches a virtual entity associated to communications functions including telephony sessions and email (FIG. 8) referenced by the Communication Means column entries.

7. Claim 16 is rejected under 35 U.S.C. 102(e) as being anticipated by Matsuda et al. Matsuda teaches an method wherein a real world entity is represented by at least one virtual entity within a virtual environment (Fig. 8, FIG. 26) referenced a plurality of avatars representing a user within a virtual reality environment.

8. Claim 17, Matsuda teaches a method of monitoring for an occurrence of a defined virtual event (column 19 lines 41-48) referenced by the sensor node performing the monitoring and initiating at least one communication function upon occurrence of the

virtual event (column 19 lines 49-55, column 30 lines 18-22) referenced an event generated external script initiation of a telephone call to a registered user.

9. Claim 24 is rejected under 35 U.S.C. 102(e) as being anticipated by Matsuda et al. Matsuda teaches a method associating a virtual entity in a virtual reality environment with a person (FIG. 8) references column Kind as an avatar for a person in column Name, existing in a virtual reality space (FIG. 26), monitoring a virtual event generated by an interaction with a first virtual entity within a virtual reality environment (FIG. 1, column 23 lines 46-49) referenced by sensor detection and the application object in a virtual reality space being picked up by the user, controlling the picked-up object as a possession of that user, initiating a communications function that has been associated with the virtual event upon occurrence of the virtual event (FIG. 8, column 26 lines 45-59) referenced by the figure 8 column communications means, wherein the communications function provides for communications with a real world entity (FIG. 3) referenced by the communication server 16 which performs the communications means.

10. Claim 26 is rejected under 35 U.S.C. 102(e) as being anticipated by Matsuda et al. Matsuda teaches a computer media comprising software for instructing the computer (FIG. 4, column 33 lines 52-55) referenced by a CD-ROM drive with processing operations, monitoring a virtual event within a virtual reality environment (FIG. 1, column 23 lines 46-49) referenced by sensor detection and the application object in a virtual

reality space being picked up by the user, controlling the picked-up object as a possession of that user, associating the event with a desired communication function (FIG. 8) referenced by column Communication Means, initiating a communications function (column 26 lines 45-59) referenced by the communications function provides for communications with a real world entity (FIG. 3) referenced by the communication server 16 which performs the communications means.

11. Claim 28, Matsuda teaches processing event data from event notification (FIG. 25 S27,S29) referenced step S27 of an event, the object ID data associated to the event and the step S29 of processing the event, determine information bearing on execution of desired communication function (FIG. 8) referenced control table row 2 determining the communication means of telephone data for the event associated object ID, configure initiation information for execution of communication function (FIG. 8) referenced an address of a telephone number to dial, initiate the desired communication function (FIG. 3) referenced communication server 16 to dial the number to access the PSTN.

12. Claim 29, Matsuda teaches processing event notification to identify an occurrence of a certain event within the virtual reality (column 19 lines 39-50) referenced event occurrence through a VRML sensor node, event notification through transmission to a external script, followed by processing the script to execute the method, select from a plurality of communication functions (FIG. 8) referenced column

communication means identifying a plurality of different communication means associated to an avatar which is selected based on the occurrence of the event, initiate the desired communication function is inherent to contacting the user based on the communication means.

13. Claim 30, Matsuda teaches processing an event notification to identify a specific event (column 19 lines 39-50) referenced event occurrence through a VRML sensor node, event notification through transmission to a external script, followed by processing the script to execute the method, determine desired communication function (FIG. 8) referenced by column Communication Means associated to an avatar to which an event interfaces with, initiate the specific communication function is inherent to contacting the user based on the communication means.

14. Claim 35 is rejected under 35 U.S.C. 102(e) as being anticipated by Matsuda et al. Matsuda teaches a computer media comprising software for instructing the computer (FIG. 4, column 33 lines 52-55) referenced by a CD-ROM drive with processing operations, interface with a virtual reality environment to receive event notification generated by events (column 19 lines 41-55) referenced by sensor nodes sensing a change which generates an event, associate a particular notification with a communication function (FIG. 8) referenced a communication means based on the associated avatar to communicate with, initiate the communication function based on

receipt of the event notification (FIG. 3) referenced by communication server to initiate real world communications.

15. Claims 39, 40 and 41 are rejected by claim 35 above and under 35 U.S.C. 102(e) as being anticipated by Matsuda et al. Matsuda teaches a computer system receiving information from a user and configuring the particular communications function based on the configuration information (FIG. 25, FIG. 8) referenced the program to query the user to receive information including object ID to register into the control table. The control table entries are written as the user completes all the necessary information including the communication means column for telephony access. The configuration value referenced by a number in the control table (FIG. 8) communication means column determines from a plurality of communication functions how the user will be contacted using the associated avatar referenced by an event.

16. Claim 42 is rejected under 35 U.S.C. 102(e) as being anticipated by Matsuda et al. Matsuda teaches a virtual reality interface (FIG. 26, FIG. 3) referenced by a virtual reality environment displayed on a PC using a VRML browser, comprising a first communications interface to receive an event notification from a virtual reality system (column 20 lines 31-38) referenced by a sensor node to detect a system change generating an event notification transmitted to the user (column 22 lines 43-48) via a change in the VRML display file, a processing system adapted to determine a desired communications function (FIG. 8) referenced by the control table communication means

column determining the method of user contact, a second communication interface to initiate the desired communications function (FIG. 3) referenced by the communication server 16 to complete the telephony call by dialing the telephone digits.

17. Claims 43-46 are rejected by claim 42 above and under 35 U.S.C. 102(e) as being anticipated by Matsuda et al. Matsuda teaches a first communications interface comprises a network interface adapted to transfer information between a virtual reality system server and the virtual reality interface system (FIG. 3) referenced by the network LAN 9 which connects the Shared Server 12 supporting the virtual reality database for information transfer to the virtual reality interface systems represented by the PC's running the VRML browser.

Matsuda teaches a second communications interface comprising a network adapted to transfer the information sufficient to initiate the desired communications function (FIG. 3) referenced by the communication server 16 connected to the network LAN 9 used for virtual reality environment supported by the shared server 12. The communication server provides access to the PSTN for dialing telephone digits associated to the avatar of the user in the virtual reality environment.

Matsuda teaches a virtual reality interface system hosting a virtual reality environment software wherein the first interface comprises a software interface with the virtual reality environment (FIG. 3, column 23 lines 17-23) referenced by the shared server 12 on the network LAN 9 and the transfer of messages over the internet 7 to realize the 3D multi-user environment to PC's running the VRML browser.

Matsuda teaches the desired communications function is computer telephony (FIG. 8) referenced by communication means column with entry 1 for telephone, and further the second communications interface is adapted to communicate with a computer telephony (FIG. 8) referenced by the communication server 16 which accesses the PSTN.

18. Claims 47 and 48 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuda et al. Matsuda teaches a means for monitoring an occurrence of a virtual event generated by an interaction with a first virtual entity within a virtual reality environment (FIG. 1, column 23 lines 46-49) referenced the detection of an event and the interaction with a virtual entity or Application Object, a means for initiating a communications function that has been associated with the virtual event involving the first virtual entity (FIG. 8) referenced by the 3D object ID and the communication means wherein for an event the object may be contacted via the specified communication means, wherein the communications function provides for communications with a real world entity (FIG. 8) referenced by the Name and Address of the user.

Matsuda teaches a means for monitoring a virtual event generated by an interaction between a first virtual entity and a second virtual entity (FIG. 26) referenced by the avatars B2, A2 and their movement between them, means for initiating the communications function initiates a communication between real world entities associated with the first and second virtual entities (FIG. 8) referenced by

communication means associated with 3D object ID's and (FIG.22) referenced a chat session between virtual entities.

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4 and 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 1 above, and further in view of Swartz.

Claims 2 and 3, Matsuda teaches a virtual reality environment (FIG. 26) wherein two virtual entities (A2, B2) interact with events to associate with a communication means. Matsuda does not teach interaction of two virtual entities resulting in real world telephonic communication between them. Swartz teaches real world communications between two parties (FIG. 3, column 2 lines 32-49) referenced by the placing of a telephone call between them using a host services computer. It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to interact two virtual entities by placing a telephone call between them for the purpose of communications between them as suggested by Matsuda (FIG. 21) referenced by chat between 2 people.

20. Claim 4 is rejected by claims 1-3 above and under 35 U.S.C. 103(a) as being unpatentable over Matsuda. Matsuda teaches a first telecommunications device associated with a first virtual entity and a second telecommunications device associated with a second virtual entity (FIG. 8) referenced by a different communication means associated to each 3D object ID. Object 1 associated with communication means 2 Personal Handyphone System, and object 2 associated with communication means 1 telephone service.

21. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 1 above, and further in view of Swartz. Matsuda teaches a virtual reality environment wherein virtual entities interact with events to associate with a communication means. Matsuda does not teach a plurality of events and a plurality of communication functions based on specific events. Swartz teaches a plurality of communication functions for an event (Fig. 8) referenced by a menu of forwarding options. Based on the event, a particular selection of communication functions can be executed. It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to initiate multiple communication functions for a event by incorporating a communication options menu for the purpose of more reliable communications.

22. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 1 above, and further in view of Swartz. Matsuda teaches a virtual reality environment wherein virtual entities interact with events to associate with a communication means. Matsuda does not teach defining additional communications function associated with the virtual event, wherein a criteria must be determined to initiate the additional communication function. Swartz teaches a additional communication functions based on determination of a criteria (Fig. 7) referenced by the "Follow Me" calling option. The event will first attempt an internet voice connection. A criteria of failure will result in subsequent attempt to be call forwarded based on time of day to a different telephone number. It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to use a virtual reality event to initiate multiple communication functions based on a criteria by incorporating a call forwarding communication options menu for the purpose of greater success in establishing communications.

23. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claims 1 and 10 above. Matsuda teaches a virtual reality environment wherein virtual entities are assigned locations (column 31 lines 5-11) referenced by a user at a predetermined location in the shared virtual space. Hence users in the virtual reality environment are assigned locations to which other users can interact. Further, Matsuda teaches a virtual entities interaction based on criteria of a public chat location or personal chat location (column 31 lines 6-18) referenced by

public/personal chat conversations at predetermined locations within the virtual reality environment.

24. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claims 1 and 10 above, and further in view of Swartz. Matsuda teaches a virtual reality environment wherein virtual entities interact with events to associate with a communication means. Matsuda does not teach defining additional communications function associated with the virtual event, wherein a criteria of time of day must be determined to initiate the additional communication function. Swartz teaches a additional communication functions based on determination of a criteria of time of day (Fig. 7) referenced by the Time field associated with the Phone Number to initiate the call to. It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to use a virtual reality event to initiate multiple communication functions based on a criteria by incorporating a call forwarding communication based on time of day for the purpose of greater success in establishing communications. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

25. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 1 above, and further in view of Swartz. Matsuda teaches a virtual reality environment wherein virtual entities interact with events to associate with a communication means. Matsuda does not teach initiating a telephony session between

a first and second user using a first contact number during a first time period and initiating a telephony session between a first and second user using a second contact number during a second time period. Swartz teaches initiating a telephony session between a first and second user using a contact number during a first time period (Fig. 7) referenced by attempt internet voice connection to subscriber before forwarding and initiating a telephony session between a first and second user using a second contact number during a second time period (Fig. 7) referenced by forward to phone number. It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to interact two virtual entities by placing a call forwarded telephone call between them for the purpose of communications between them. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

Claims 18-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 16 above, and further in view of Swartz.

26. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 16 above, and further in view of Swartz. Matsuda teaches a virtual reality environment wherein virtual entities interact with events to associate with a communication means. Matsuda does not teach interaction of a virtual entity with an additional virtual entity resulting in real world telephonic communication between them. Swartz teaches real world communications between two parties (FIG. 3, column 2 lines 32-49) referenced by the placing of a telephone call between them using a host services

computer. It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to interact two virtual entities by placing a telephone call between them for the purpose of communications between them.

27. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 16 above, and further in view of Swartz. Matsuda teaches a virtual reality environment wherein virtual entities interact with events to associate with a communication means. Matsuda does not teach interaction resulting in an event associating a plurality of communications functions relevant to the real world defining at least one criteria for selecting a communication function. Swartz teaches interaction resulting in an event associating a plurality of communications functions relevant to the real world defining at least one criteria for selecting a communication function (Fig. 7), referenced a plurality of communication functions, attempt internet voice connection, forward incoming voice call and forward incoming voice call based on time of day. The forward incoming voice call based on time of day is determined based on a criteria of time of day for selection. Upon determination of the time of day, the call is placed to the phone number associated to the particular time period. It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to use virtual reality events to connect two parties by placing a telephone call using criteria based call forwarding option between the parties for the purpose of communications between them.

28. Claim 21 is rejected by claims 16, 19 and 20 above and under 35 U.S.C. 103(a) as being unpatentable over Matsuda. Matsuda teaches initiating communication functions from a group of actions consisting of telephony session and email (FIG. 8) referenced by Communication Means column identified by electronic mail and telephone.

29. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 16 above, and further in view of Swartz. Matsuda teaches a virtual reality environment wherein virtual entities interact with events to associate with a communication means. Matsuda does not teach plurality of interactions resulting a plurality of communications functions associated to a virtual entity. Swartz teaches a plurality of communications functions (FIG. 11) references paging options such as page on incoming voice mail, page on incoming email and page on incoming FAX. Each set of communication function can be associated to an interaction of a virtual entity as taught by Matsuda (FIG. 8) referenced by column Communication Means row 1 specifying electronic mail. It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to incorporate selection from a multitude of communication functions to establish communication between two parties in a virtual reality environment.

30. Claim 23 is rejected by claim 16 above and under 35 U.S.C. 103(a) as being unpatentable over Matsuda. Matsuda teaches a method wherein a real world entity is

represented by at least one virtual entity within a virtual environment (Fig. 8) referenced association of column 3D Object ID Obj's to column Name representing a user within a virtual reality environment. Matsuda does not teach representing the real world entity with a plurality of virtual entities. It would have been obvious to map more than one Object ID to the same user, to increase the representation of the real world entity to a plurality of virtual entities within the virtual reality environment. It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to incorporate multiple avatar mappings for the user for the purpose of establishing different communication means between two parties in a virtual reality environment.

31. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 24 above, and further in view of Swartz. Matsuda teaches a virtual reality environment wherein virtual entities interact with events to associate with a communication means. Matsuda does not teach communication functions selected from a criteria. Swartz teaches communication functions based on a criteria (Fig. 11) referenced by various paging options depending on the method of information retrieval. Based on the control table of Matsuda (FIG. 8) the method of pager communication selected would encompass a criteria using the paging options of Swartz. It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to incorporate a plurality of communication functions dependent on a criteria for the purpose of improving the rate of establishing communication between two parties in a virtual reality environment.

Claims 27 and 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 26 above, and further in view of Swartz.

32. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 26 above, and further in view of Swartz. Matsuda teaches a virtual reality environment wherein virtual entities interact with events to associate with a communication means. Matsuda does not teach interaction of two virtual entities resulting in real world telephonic communication between them. Swartz teaches real world communications between two parties (FIG. 3, column 2 lines 32-49) referenced by the placing of a telephone call between them using a host services computer. It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to interact two virtual entities by placing a telephone call between them for the purpose of communications between them.

33. Claims 31, 32, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 26 above, and further in view of Swartz. Matsuda teaches a virtual reality environment wherein virtual entities interact with events to associate with a communication means. Matsuda does not teach a status condition associated with the communication function. Swartz teaches a communication means with status conditions (Fig. 7, column 12 lines 6-16), referenced by placement of forwarding a telephone call with status displays sent to the subscriber, modify the desired communication function based on status condition (column 12 lines 6-16),

referenced by the response of the subscriber in answer to a "no answer or "busy" status dialogue box. Further, Swartz teaches a status condition based on system time (Fig. 7) referenced by the call forwarding to a telephone number based on time of day which would require system time information. Swartz teaches the status condition comprises initiating the desired communication function using different information for different times (Fig. 7) referenced by the different telephone numbers dialed based on the different time of day. Finally, the use of call forwarding to different telephone numbers inherently implies each number can associate to different communication systems such as plain old telephony, pager, and mobile telephony. It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to incorporate call forwarding telephonic features to handle status conditions for the purpose of improved rate of establishing communications between multiple parties.

34. Claims 36, 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 35 above, and further in view of Swartz. Matsuda teaches a virtual reality environment wherein virtual entities interact with events to associate with a communication means. Matsuda does not teach a plurality of communication functions associated to an event. Swartz teaches a plurality of communication functions (Fig. 7) referenced by internet voice connection and forward telephone call, determine a preferred one of communication functions (Fig. 7) referenced by check box of desired communication functions, based on evaluating at least one defined criteria (Fig. 7) referenced a criteria of call forwarding based on time

of day, initiating the preferred communication function (Fig. 1) referenced dial up telephone system 40 to make the telephone call. Further, Swartz teaches the computer system receives information from a user identifying the plurality of communication functions (column 9 lines 40-52) referenced by a query to the user in the event of a busy signal to obtain information on further communication functions. Finally, Swartz teaches a computer system to receive information from a user to determine the preferred communication function (Fig. 4) referenced by a call in progress menu to receive information from a user to determine a preferred communication function among call recording, call hold and call conference. It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to incorporate call forwarding and call in progress telephonic features to handle status conditions for the purpose of improved rate of establishing communications between multiple parties.

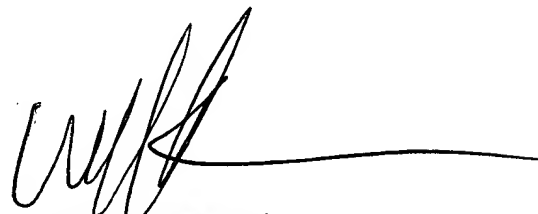
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L Shew whose telephone number is 703-305-8708. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 703-305-4366. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2664

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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